Third, Eleven-Fifty's claim of freeway interference, if indeed caused by the proximity of KJLH's transmitter, is not interference but rather substitution of service and if it occurs, it takes place over a relatively small stretch of road in a relatively short period of time. Laid against the average Los Angeles commute, the numbers would be extremely small. Such is also the case regarding the incidence of interference from AM station second harmonics, or FM station RITOIE. To use two Washington examples for the benefit of the Commission's staff, on the Beltway between Interstate 270 and Old Georgetown Road, reception of WWDC (1260 kHz) from a transmitter in Silver Spring is frequently obliterated when passing close to the WMAL (630 kHz) towers which are nearby and emit a second harmonic on 1260 kHz.. Such a situation is bound to happen in a geographically small area surrounding the transmitter site of the station whose frequency is one-half of the frequency of the desired station. The same thing happens to reception of WMZQ(FM) when passing the WJZW(FM) tower on the Washington beltway near Interstate 66. And a similar phenonomen occurs to reception of many FM stations when one travels on the George Washington Memorial Parkway near National Airport where its air traffic controllers are heard instead of one's desired radio station for a certain distance. These phenomena are all consequences, not of inadequate spacing between stations, but rather of a coincidence of signal density and location. Their occurrence has not caused the Commission to heighten standards for second harmonic emission, circumscribe a distance from major thoroughfares where AM or FM stations may not locate or proscribe air traffic control transmitters from being located near vehicular traffic. These effects will continue to occur just as does terrain shadowing and other phenonoma that incidentally affect radio reception in various places from time to time.

These situations occur just as in the case of FM station substitution of service from closer, short-spaced second-adjacent transmitters. In this regard, Commission stated it all in the NPRM:

> "While we recognize there is a small risk of interference between short-spaced second-adjacent channel and third-adjacent channel stations, we note, as the commenters point out, that it is well documented that the interference is localized in the immediate area of the transmitter. We also note that such interference is actually a substitution of service in that very small area. For grandfathered stations, on an overall basis, creating these small areas of potential interference to some receivers is more than outweighed by enhancing the ability of existing stations to modify and improve service in response to changing conditions."
>
> NPRM at ¶24.

Relaxation of the rule to loosen the bonds on grandfathered short-spaced stations will provide the benefit of preserving a service for the public which more than offsets whatever nominal increase of extremely localized substitution of service may result therefrom. Some perspective is required. The KIIS Santa Monica Freeway "interference" complained of, probably comprises an area less than a small fraction of one percent of the entire KIIS listening area. (It can scarcely be said that such is a high price to pay as part of an effort to preserve service overall for the affected stations especially in the face of coming difficulties with antenna sites throughout the country.)

The negligibility of the "interference" of which Eleven-Fifty complains and its miserly approach to allowing grandfathered short-spaced station's relief is a case of the "haves" putting their own interests ahead of the "have-nots". Station KIIS is a dominant radio station in the Los Angeles market. The station's consistently high ratings and revenues over the long term give lie

to any complaint of significant signal degradation. That large numbers of people can and do enjoy KIIS enough to give it such consistently high audience shares argues persuasively that the interference, if it exists, and even if it is such second-adjacent channel substitution of service as discussed herein, is a small, temporary, localized phenonomen confined to the immediate vicinity of the KJLH transmitter site and does not degrade overall KIIS' signal across its vast listening area.

D. Elimination of Mutual Facilities Improvement Agreements

The NAB Reply Comments make only a passing reference to the Commission's proposal to eliminate the necessity for mutual facilities improvement agreements between grandfathered short-spaced stations. The NAB thus appears to reject the proposal of Kelsho Radio Group, Inc. that the requirement for such agreements be kept intact. While Kelsho fully supports eliminating second- and third-adjacent channel separations, it apparently wants to retain, in cases of cochannel and first-adjacent channel short-spacings between commonly owned stations, a requirement for an agreement in cases of facilities changes.

We believe Kelsho misapprehends the Commission's policy. The policy requires the submission of such an agreement with a short-spaced station as a condition precedent to getting an extension of the 1 mV/m contour toward that station. If you don't have the agreement, you are essentially blocked. If the other party doesn't agree, you're blocked. This spells absolute doom to any station which is grandfathered short-spaced to another station which is already at maximum facilities. Since there is no further improvement possible at the second station, there is no incentive whatsoever for that station to sign any such agreement. For this reason, Compass believes that the Commission is correct in abolishing the requirement for such an agreement. A private party should not be the determiner of whether the public interest is furthered by the grant of a facilities change to another station. Only the Commission should have that power. If there is to remain any cognizance of agreements between two grandfathered short-spaced stations, it

should be in the context of a policy of flexibility whereby the Commission allows the parties to submit showings (assuming that the Commission adopts rules that require non-interference showings in the case of cochannel and first-adjacent channel situations) in support of applications. These showings could consist of any kind of matters an applicant might want to submit, including, but not limited to, mutual facilities improvement agreements, alternative propagation prediction showings, and the like. If rules are adopted which require such a showing, the applicant should be accorded flexibility to offer any kind of showing of public interest that it can muster. However, a mutual facilities increase agreement must not be made a condition prerequisite. It is merely one of a number of things a station can show. We believe that this policy would accommodate Kelsho and, at the same time, preserve the Commission's rule as the arbiter of the public interest rather than putting such determination into the hands of other licensees.

Several other areas of the NAB Reply Comments require comment here.

E. NAB Station Data FlawedAs To The Number Of Grandfathered Short-Spaced Stations

First, the NAB's calculation of the number of stations which may be affected by any change in Section 73.213 may be flawed. In Reply Comments to be simultaneously filed by Carl E. Smith Consulting Engineers, Technical Consultant Roy Stype states that the NAB study utilized the wrong spacing requirements to arrive at its estimate of the number of stations which may be involved in pre-1964 grandfathered short-spacing and, thus, might be affected by any

rule change. Mr. Stype states that NAB used present spacings set forth in Section 73.207 rather than those in existence in 1964. Using the correct data would reduce the probable number of stations by fully 30 percent, according to Mr. Stype. In the final analysis, though, NAB concedes that to accurately determine the number of affected second- and third-adjacent channel grandfathered short-spaced situations, a definitive analysis would be required and individual station records would have to be reviewed. Therefore, all that can be concluded from the 100+ pages of NAB station printouts contained in its Reply Comments is that some stations will be affected, but precisely how many is not known. According to Mr. Stype, however, the NAB's numbers are considerably overstated.

F. NAB Receiver Testing

Receiver test data are offered in NAB's Reply Comments for the proposition that second- and third-adjacent channel restrictions should still be maintained to a degree since, based on these tests, NAB maintains, some second adjacent channel signals at D/U ratios similar to those found in grandfathered short-spaced situations can cause interference, depending on the type of receiver. We do not believe the NAB receiver tests support this conclusion or its proposition to retain limits on second- and third-adjacent channel spacings by grandfathered short-spaced stations.

First, the only comments in this proceeding which oppose the rule change are those of Eleven-Fifty. In its Reply Comments, Eleven-Fifty refers exclusively to mobile reception

difficulties near second-adjacent channel transmitter sites. Putting aside the lack of technical specificity in the description of the claimed interference and assuming arguendo the presence of such interference, the NAB presents no evidence at all that automobile radios showed any susceptibility to third-adjacent channel reception difficulties. Thus, third-adjacent channel interference is not an issue at all as to the representative automobile radios selected by NAB. Since "freeway" interference to automobiles was the only claim of interference made in this proceeding, the other receiver test data, for fixed and portable receivers, is irrelevant to addressing automobile interference.

Moreover, as the attached Statement of du Treil, Lundin & Rackley points out, the receiver tests of NAB do not necessarily replicate real world conditions nor were particularly suited to this instant situation. In its Motion for Extension of Time In Reply Comment Deadline filed July 22, 1996, NAB stated that it was commissioning an independent technical study designed around the question of short-spaced stations and the issues in this proceeding. On the strength of this representation, NAB was granted a 60-day extension of time to submit its test results. What NAB submitted was not an independent, custom-designed study but rather some ressults of a previous study evaluating digital radio transmission systems in the FM band. As such, the study was not particularly suited to the questions posed here. According to the du Treil Statement, the signal levels employed at the receiver inputs were moderate and "not representative of possible high signal levels from both the desired and undesired station" that we are concerned with here. "Although the tests shed some light in the second adjacent channel situation, they do not represent signal conditions when substantial short spacing exists."

The Statement points out that interference believed to result from second- and third-adjacent channel short-spacings is located in a small area immediately proximate to the antenna of the offending station. This is also the same area in which blanketing interference occurs. Under the circumstances, it is entirely likely that interference perceived to be caused by the physical closeness in frequency and distance of two stations may actually be the result of receiver overload. Thus, receiver sensitivity to such signals, rather than its selectivity, may be the determining issue. As the du Treil Statement says, for this reason, the receiver tests performed by the NAB do not necessarily replicate the situation which would exist in the real world where high ambient fields may affect the overall operation of the receiver. Thus, interference thought to arise from closely spaced second-adjacent channel situations may actually be from blanketing. The tests, as they were, cannot stand as a definitive predictor of whether second-adjacent channel interference will occur. This being the case, we are left with the record in this proceeding which (1) contains no competent evidence of the existence of such interference and (2) the Commission's statement regarding the absence of such interference complaints during the 23 years when second- and third-adjacent channel moves by such stations were unrestricted.

G. NAB Plan Not Based on Technical Considerations

In the noticeable absence of any record evidence of second- and third-adjacent channel interference, and any corresponding need for retention to any extent of restrictions on second- and third-adjacent channel spacings for grandfathered short-spaced stations, the NAB's embrace of a wholly new regulatory scheme for dealing with these situations seems particularly ill-suited

to the evidence. It is understandable that NAB represents a wide constituency and is considerably uneasy here where the interests of its full spaced non-grandfathered and non-short-spaced member stations collide with the need of a far smaller number of pioneer member stations whose survival may soon depend on the rule change proposed here. It is also not difficult to imagine the pressure felt by NAB to yield to its multi-station members, the powerful group operators of premium facilities who, at their most benign, want to preserve the existing competitive status quo and, at their most adversarial would, probably not mind if circumstances caused the demise of their weaker short-spaced competitors. The last thing they would want, however, is to see a disadvantaged group of stations become empowered through loosened site restrictions which until now may have frozen those stations into patently inferior or at least disadvantageous sites. NAB must be careful not to confuse political support for technical support and in matters such as this, cannot be allowed to pursue a political, economic or competitive agenda when what is called for here is nothing more than a decision based on strictly technical considerations.

It is in this regard that the NAB proposal of a "measured opportunity for grandfathered short-spaced stations to modify and improve their facilities" seems to be borne more out of a concern for restraining possibly adverse competitive effects on non-short-spaced stations than on any other reason. Little other explanation can be found for the elaborate regulatory mechanisms proposed by NAB. The record in this proceeding and the NAB's own pleadings reflect the wholesale absence of any evidence regarding third-adjacent channel interference and precious little about second-adjacent. Given these facts, there is simply no technical basis to justify the

creation of additional complex showings of the kind that NAB proposes as conditions prerequisite to modifications of second and certainly third-adjacent channel grandfathered short-spaced stations..

H. NAB Plan Would Create Complex Requirements & Litigation - Not Simplification

Moreover, each of the NAB proposed conditions prerequisite bears no reasonable relationship to the prediction of actual impact on listeners of any facilities changes and, in almost all such cases, such interference is incapable of measurement given the variety of technical phenonomena that affect reception. See the attached Statement of du Treil, Lundin & Rackley. The net effect of such a new and complex regulatory scheme, where there is no reasonable relationship in the showings demanded by NAB to any benefit to the listening public, is to cruelly give the appearance of helping such stations, all the while hamstringing them with new and more impossible hurdles to scale. One needs little imagination to predict that such showings will themselves be subject to challenge by what the NAB acknowledges as "non-grandfathered and non-short-spaced stations [who] may be less than receptive to these facilities changes." It would all add up to a bonanza for consulting engineers and lawyers, more litigation and pleadings for the Commission and little more than expense and frustration for these stations who are, at a time of need, attempting to preserve their businesses and service.

Indeed, the NAB's various characterizations of its proposal speak legends about what is in store for grandfathered short-spaced broadcasters if NAB's concept is adopted. These

descriptions include "a series of tools for demonstrating eligibility for improved/modified facilities," "various, alternative showings," "measures of needed modification flexibility," "a series of devices by which [grandfathered short-spaced stations] could present such a showing," "a revised regulatory approach that would grant tailored relief," "showing which would qualify the station for a rebuttable resumption that grant of relief should be provided," and, finally, "a mechanism for improving facilities without negating the due process rights of other stations." The last of these phrases captures best the regulatory thicket which the NAB's proposal would lay in front of stations attempting to take advantage of what the NAB calls "long-delayed relief" to frozen, grandfathered short-spaced stations. At best, this "relief" is merely invitation to litigation. One needs to look no further than the years of litigation spawned by the tenacious resistance of maximum-facility, major market stations, such as several in Los Angeles and San Diego, who for years have steadfastly and tenaciously opposed any effort by lesser-powered grandfathered short-spaced stations to improve of modify their facilities. In this context, the NAB "relief" is simply "illusory".

The NAB proposes four showings which must be made as a "threshold matter" for a grandfathered short-spaced station facilities modifications to be eligible for consideration. As is shown in the du Treil Statement, these criteria have no reasonable technical basis, would prevent the flexibility which is intended by the Commission to be afforded grandfathered short-spaced stations and would be difficult to apply across the board to all such stations because of the wide variety of situations involved.

I. NAB's Four Requirements Are Unworkable or Unwarranted

First, the NAB requires that the proposed modification would result in a net decrease in numbers of listeners experiencing interference caused by the proponent to other FM signals. This is unworkable. This proposal would prohibit spacing increases, now unrestricted, by short-spaced stations since, as the NAB itself recognizes and stated, interference increases between short-spaced stations as their separation increases. Moreover, it is frequently impossible to assess which persons are receiving interference due to the channel spacing. In the real world, listeners are affected by manmade and natural shadowing, antenna radiation pattern aberrations, signal polarization anomalies, blanketing interference and RITOIE. The showing would prevent some modifications now permitted and make other nearly impossible.

Second, the NAB requires that modifications would result in a net decrease in the land area of interference. This requirement confers no benefit to the public. Interference to land area cannot possibly be a meaningful yardstick of the value of a modification in serving the public where interference falls over unpopulated areas as is frequently the case with many FM transmitter sites. That a given modification should be prohibited because more ant hills and burrow holes will be covered by a given D/U ratio contour raises the concept of the "public interest" to an entirely new plateau.

Third, the NAB would require that the new transmitter location not be located near a major thoroughfare. This condition is directly contrary to the NAB receiver test results which

shows that automobile receivers are the most robust and least susceptible to adverse affects from second-adjacent channel signals. This condition would also fly in the face of consistent past Commission precedent of not protecting mobile receivers against any form of interference since the impact is small and momentary.[7]

Fourth, the NAB would establish new mileage criteria in the form of buffer zones, outside of which grandfathered short-spaced stations could not move. There is, once again, no logical engineering consideration that would provide a sound basis for such a restriction. See the attached Statement of du Treil, Lundin & Rackley. A buffer zone would significantly prevent the flexibility sought in this proceeding. It would further shackle grandfathered short-spaced stations with yet an additional restriction to those yet already in existence. Co channel and first-adjacent channel spacings, minimum city coverage spacing requirements, aeronautical and land use restrictions, real estate availability and price limitations --- all of these are significant obstacles which must be dealt with simultaneously by grandfathered short-spaced stations seeking to move their sites. Buffer zones would merely add to these difficulties. As pointed out in the du Treil Statement, buffer zones would also prevent movement to increase spacings as well.

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[7] This very proposal sets one to thinking. Does the NAB intend for licensees to engage traffic engineers to count vehicles in order to determine whether a thoroughfare is a "major" thoroughfare? Is the "major" status determined by car count or by the physical properties of the roadway? Does the width of the shoulder get counted for FCC purposes? What if a road is widened after a station is authorized; will this prevent a later facilities improvement? Will efforts to lobby for local road improvements as a way of preventing the upgrade of a second-adjacent channel short-spaced competitor be considered an abuse of process for FCC purposes? The questions are intriguing and endless under this new NAB proposal.

IV. Conclusion

No competent record evidence has been brought forward in this proceeding either by parties or by the FCC that points to any material interference caused by short-spaced second- and especially third-adjacent channel stations. There is simply no technical basis to keep such restrictions in effect when their practical result is in many cases to freeze such stations at their present sites. The dire straights in which many grandfathered short-spaced stations currently find themselves will be made even more harsh with the advent of tower evictions caused by digital television. The hardships of these stations are already sufficiently compounded by city coverage requirements, adverse land use requirements, FAA restrictions and other mileage separation minimums. The unwarranted burden of second- and third-adjacent channel separation requirements, not justified by any cognizable record evidence, should be lifted. It can be done with no real consequence to overall radio reception by the public. It will facilitate flexibility demanded by the times and it may in many cases minimize substitution of service as the separations between such short-spaced stations decrease. The engineering community overwhelmingly shares these views.

The requirement for agreements between short-spaced stations seeking facilities changes should be eliminated. The requirement constitutes an unlawful delegation of the Commission's authority and invites anticompetitive conduct. To the extent that showings of public interest are still to be required in the case of cochannel and first-adjacent channel short spacings, flexibility in the contents of those showings should be left to the circumstances of each situation. Retaining

agreements as a sine qua non of any facilities changes for grandfathered short-spaced stations removes public interest determinations from the Commission's judgment and delivers them into the hands of private parties whose motives and interests may conflict with those of the commonweal. In summary, second- and third-adjacent channel minimum mileage separations between grandfathered short-spaced stations should be eliminated and the requirement for short-spacing agreements between such stations should be eliminated as well.

Respectfully submitted,

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November 4, 1996

du Treil, Lundin & Rackley, Inc.
A Subsidiary of A.D. Ring, P.A.

TECHNICAL STATEMENT
IN SUPPORT OF REPLY COMMENTS OF
COMPASS RADIO OF SAN DIEGO, INC.
MM DOCKET NO. 96-120

This technical statement has been prepared on behalf of Compass Radio of San Diego, Inc. ("Compass"), licensee of FM broadcast station KXST (formerly KIOZ) Oceanside, California. Prior to April 1996, station KXST was licensed to Par Broadcasting Company, a California General Partnership.

Compass supports the Commission's proposal in the Notice of Proposed Rule Making ("NPRM"), in the matter of *Grandfathered Short-Spaced FM Stations*, MM Docket No. 96-120, RM-7651. The Commission outlines three proposals in the NPRM in paragraph 8 of the document. Compass supports proposals 2 and 3, which relate to the elimination of the second and third-adjacent channel spacing requirements for pre-1964 grandfathered short-spaced stations and the need to obtain agreements by the short-spaced stations.

These comments are in response to comments filed by the National Association of Broadcasters. In the October 4, 1996 filing, the NAB grudgingly would permit "trapped" short-spaced stations to change transmitter location, based on four test criteria. Each of these criterion are summarized below, with commentary following each.

NAB Test No. 1. That the modification would result in a net *decrease* in the number of listeners

experiencing interference *caused* by the station proponent to the signals of other FM stations.

Comment. Current FCC rules permit a station to move further from a short-spaced station, which may as the NAB recognizes, result in increased interference; therefore only a decrease in separation between short spaced stations is of concern in this rule making. Yet this condition proposed by NAB would have the effect of preventing increases in such spacings, which are now acceptable. Footnote 10 of the NAB comments recognizes that: "As interfering signals are brought closer together, approaching co-location, actual interference areas *may* decrease -- depending upon signal strength variations due to natural and man-made signal shadowing, antennas patterns aberrations, signal polarization, etc." These factors outlined also preclude accurate determination of affected persons by second or third-adjacent channel interference, if any.

There is engineering agreement that interference believed to result from second and third-adjacent channel interference lies in a small area in the immediate vicinity of the antenna of the offending station. This area near the antenna is also the zone in which "blanketing" interference occurs. It is therefore quite likely that interference which is perceived to be caused by the closeness in frequency of two stations may be the result of receiver overload or blanketing. The problem becomes one of receiver sensitivity rather than receiver selectivity.

The receiver tests[1] performed for the NAB do not necessarily replicate that situation which would exist between stations closely spaced both in frequency and distance, where high ambient fields from each station may exist. Receiver testing employed a desired signal level of -62 dBM at the receiver input. This moderate signal level would not be representative of possible high signal levels from both the desired and undesired stations. Although the tests shed some light on the second-adjacent channel situation, they do not represent signal conditions where substantial short-spacing exists. Further, no testing was available at the third-adjacent channel. Experience indicates that third-adjacent channel interference does not exist and there is general engineering agreement to that fact.

Based on experience, we do not believe it is possible to accurately depict the number of persons which may receive second or third adjacent channel interference due to natural and man-made signal shadowing, antenna radiation pattern aberrations, signal polarization, etc., and also due to the fact that interference, if any, is recognized to be insignificant.

NAB Test No. 2. That the modification would result in a net *decrease* in the land area of interference

[1] Receiver tests were conducted by industry sponsors in connection with digital Audio Radio Studies. These tests were not made specifically for the purpose of determining the susceptibility of receivers to second and third-adjacent channel interference. The information obtained by the testing covered only the second-adjacent channel. No testing was made with regard to the third-adjacent channel receiver characteristics.

caused by the station proponent to the signals of other FM stations.

Comment. Due to various environmental concerns, most FM broadcast stations are generally located in remote areas where the ground elevation is high. Such sites are not generally associated with population centers or where there is heavy suburban growth.[2] The area in the immediate vicinity of the antenna where interference (either blanketing or second or third-adjacent channel) may occur is unpopulated or lightly populated and is likely to remain so. For this reason, increasing or decreasing possible interference to land area is not of concern. There is no interference potential if it occurs in an area of thick forest or a national park where there are no people.

NAB Test No. 3. That the transmitter site shift would not be to a location near a major traffic thoroughfare -- a site move that could create massive interference to the mobile radio audience.

Comment. This NAB concern is quite contrary to their receiver testing report which shows that automobile radios are less susceptible to second adjacent channel interference than are other types of radio receivers. (Third-adjacent channel testing was not done, but possible interference is believed to be less than that which might occur on the second adjacent channel). Experience has shown,

[2] An exception may be Class A stations which, because of their low power, locate close to the population centers. However, due to the low power, interference is unlikely.

and NAB tests confirm, that automobile receivers are substantially immune to second and third-adjacent channel interference and also to blanketing interference. Even assuming that interference does occur, the area is small and passage of an automobile on a major thoroughfare is generally for a very short time period.

Even under current rules, which permit a short-spaced station to relocate to a site further from the short-spaced station, there are no restrictions as to where the site should or should not be located with respect to highways. This propcsal places a special burden on pre-1964 short-spaced stations and not others.

NAB Test No. 4. That the modification of the transmitter site would be to a site within a "buffer zone" around the current transmitter site. This buffer zone would be of a size determined by the Commission -- perhaps based on a fixed mileage standard for all stations, perhaps based on existing station class, perhaps based on the extent of existing short-spacing or perhaps based on a percentage of the service area radius of the station proponent.

Comment. Use of a buffer zone unnecessarily complicates the intent of the proposed rules which would allow free movement of these special cases of short-spaced stations. In addition, there is no engineering basis for assigning a buffer zone as suggested by NAB. Some of the grandfathered short-spaced stations are marginally short while others are severely short-spaced, with a station serving Philadelphia and a station serving Jenkintown being

co-located (See NAB table sorted by short-spaced distance). There is no rational engineering consideration which would apply to these various existing short-spaced situations if a buffer zone is proposed.

Current FCC rules permit site relocation where the short-spacing situation is improved. Such a buffer zone could prevent a station from moving substantially away from its short-spaced problem station.

Numerous studies have shown that separation restraints on the same channel and on the first-adjacent channels greatly impact the potential movement of a station, generally far greater than second or third-adjacent channel separations. In addition, there is the requirement for a station to properly serve its community of license; this is another separation restraint. Enough restraints are currently controlling without adding a further buffer zone restraint.

Conclusion. The NAB has provided no evidence which shows that second and third-adjacent channel interference is a significant interference concern. The number of stations which might take advantage of the reinstated rule is relatively small, and likely to have other cochannel and first-adjacent channel separation restraints in addition to second and third-adjacent channel separation difficulties. A buffer zone in which a short-spaced station can move its transmitter site simply complicates the proposed rule, and cannot be based on reasoned engineering.

The purpose of the rule making is to return to those few grandfathered stations the flexibility needed to make modifications. Based on available evidence, little or no interference exists between short-spaced second and third-adjacent channel stations. There is no technical basis for the onerous conditions the NAB wishes to attach to the improvement of these stations. Accordingly, those grandfathered second and third-adjacent channel stations which are currently short-spaced, and which have remained so since 1964, should be given the opportunity to improve their facilities without regard to second or third-adjacent channel short-spacing.

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